IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER No. 259 of 2005

Hukumchand H. Jain .. Appellant

versus

M/s.Shreeji Builders & ors. .. Respondents

...

Mr.H.S.S. Murthy for the appellant.

Mr.R.J. Majra for respondent no.1.

**CORAM : D.G. KARNIK, J**

**DATED : 12th December 2006**

**P.C.:**

1. For the reasons recorded in AO no.996 of 2005, learned counsel for the appellant seeks leave to withdraw the appeal with liberty to challenge the impugned order before appropriate forum in appropriate proceedings, subject to law of limitation. Leave granted. Appeal is dismissed as withdrawn with liberty as above.

2. At the request of the learned counsel for the appellant, however, the interim order passed by this Court on 28th November 2005 shall continue for a period of five weeks.

**(D.G. KARNIK, J)**